

14 August 1972

MEMORANDUM FOR THE DIRECTOR

SUBJECT: A Possible Letter to the New York Times

1. As I think you know, doctrinaire critics of the war, including the editorial writers of the New York Times, have been perceptibly discomfited by stories emerging from South Vietnam, especially Binh Dinh Province, recounting how the Vietnamese Communists behave in an area that falls even temporarily under their de facto administrative control. Further piquancy is added to this bubbling situation by the fact that the best, most detailed stories yet published on Communist behavior have been those of Joseph B. Treaster, one of the Times' own correspondents whose reports have been prominently played on its own pages.

2. In the lead editorial in its 6 August (Sunday) edition, the Times used the tired "so's your old man" gambit in taking a vicious swipe at the U.S. Government in general and the Agency in particular, equating Communist liquidations in Binh Dinh with an alleged 9,820 "civilian Communists" who were "executed" over a fourteen month period by the "infamous 'Phoenix' program" directed by CIA.

3. The 9,820 figure seems to come from the 1971 testimony, by Bill Colby among others, before the House Committee on Government Operations (Moorhead). Congressman Ogden Reid, while harrying AID's Bob Nooter, mentioned the 8,191 VCI killed (under Phoenix) in 1970 plus the 1,629 VCI killed in January and February 1971, two figures which add up to the 9,280 figure used by the Times. Equating Phoenix "killed" figures with the Binh Dinh executions, however, is stretching things pretty far -- even for the Times. As Colby himself

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pointed out in testifying before that Committee, some 88% of the Phoenix "kills" are persons killed during firefights by military units, with identification of the deceased as VCI often made from documents or other evidence found on the bodies after the firefight is over. It really is a bit much to equate persons killed in action who were armed, and shooting, at the time of their death with the victims of deliberate Communist executions.

4. At several meetings last week there was some agitated but formless discussion about the desirability of some senior U.S. Government official blowing the whistle on the Times' distortion of fact. I discussed this with Bill Colby, who said he had broached the idea of his writing a letter and that your initial reaction had been negative. Since then, however, he had been in contact with a Father John McLaughlin, a priest now on the White House Staff, who felt that something ought to be done, but was not quite sure what. The more I brooded on this matter, the more convinced I became that the Times should be publicly called on its claim that 9,280 people were "executed" by Phoenix, under CIA auspices. It also seemed increasingly evident to me that Colby was probably the one who should do it, given his background plus the fact that it was really his testimony that the Times was fiddling.

5. As a result of the above, attached hereto for your consideration is a draft letter which Bill prepared at my request.

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George A. Carver, Jr.
Special Assistant for Vietnamese Affairs

Attachment.

cc: Mr. Colby
DCI/SAVA:GACarver/mee

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